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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ZACHARY SANNS,

Defendant.

Case No. 2:20-mj-00482-NJK

Stipulation to Continue the Preliminary
Hearing (Second Request)

IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A. TRUTANICH, United States Attorney, and CHRISTOPHER BURTON, Assistant United States Attorney, counsel for the United States of America, and DAVID T. BROWN, ESQ., counsel for Defendant ZACHARY SANNS, that the preliminary hearing currently scheduled for July 28, 2020, at 4:00 p.m., be vacated and continued to a date and time to be set by this Honorable Court but no sooner than thirty (30) days.

This stipulation is entered into for the following reasons:

1. Counsel for the defendant needs additional time to review discovery and conduct investigation in this case to prepare for the preliminary hearing and determine whether there are any issues that must be litigated prior to the preliminary hearing.

1 2. The parties agree to the continuance.

2 3. The defendant is currently not detained and does not object to a continuance.

3 4. The additional time requested herein is not sought for purposes of delay, but to
4 allow counsel for defendant sufficient time within which to be able to effective and complete
5 investigation of the discovery materials being provided.

6 5. Additionally, there is good cause for continuing the preliminary hearing under
7 Federal Rule of Criminal Procedure 5.1(d) and denial of this request for continuance could
8 result in a miscarriage of justice. The additional time requested by this Stipulation is excusable
9 in computing the time within which the preliminary hearing, or filing of an indictment or
10 information herein must commence pursuant to the Speedy Trial Act, Title 18, United States
11 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
12 Section 3161(h)(7)(B)(i) and (iv).

13 6. This is the second stipulation to continue filed herein.

14
15 DATED this 24th day of July, 2020.

16 Respectfully submitted,
17 NICHOLAS A. TRUTANICH
 United States Attorney

18 //s//
19 DAVID T. BROWN, ESQ.
 Counsel for Defendant
20 ZACHARY SANNS

 //s/
 CHRISTOPHER BURTON
 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ZACHARY SANNS,

Defendant.

Case Number: 2:20-mj-00482-NJK

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to review discovery and conduct investigation in this case to prepare for the preliminary hearing and determine whether there are any issues that must be litigated prior to the preliminary hearing.

2. The parties agree to the continuance.

3. The defendant is currently not detained and does not object to a continuance.

4. The additional time requested herein is not sought for purposes of delay, but to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials being provided.

5. Additionally, there is good cause for continuing the preliminary hearing under Federal Rule of Criminal Procedure 5.1(d) and denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excusable in computing the time within which the preliminary hearing, or filing of an indictment or information herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,

Section 3161(h)(7)(B)(i) and (iv).

6. This is the second stipulation to continue filed herein.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

CONCLUSIONS OF LAW

There is good cause in continuing the preliminary hearing and the ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

The continuance sought herein is excusable under Federal Rule of Criminal Procedure 5.1(d) and the Speedy Trial Act, Title 18, United States Code, Section 3161 (h)(7)(A), when considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

ORDER

IT IS FURTHER ORDERED that the preliminary hearing currently scheduled for July 28, 2020, at the hour of 4:00 p.m., be vacated and continued to Friday, August 28, 2020, at the hour of 4:00 p.m., in courtroom 3C.

DATED this 27th day of July, 2020.



THE HONORABLE NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE